

LAKESIDE COMMUNITY COUNCIL MEETING – February 2013 – open to the public

DATE: 02/26/2013 TIME: 7:00pm

PLACE: Lakeside Sewer District Meeting Room; 253 Bierney Creek Rd.

NOTICED: County P&Z website Calendar of Events page; posters in Library and Post Office in Lakeside, submitted to DIL Daybook column.

AGENDA:

1. Call to order and Sign-in sheet passed.
2. Public Comment for items not on the agenda
3. Approve Agenda: Approve agenda for 01/29
4. Approve prior meeting minutes: Approve meeting minutes from 12/18/2012
5. Review/recommendations on any County applications in the Lakeside planning area (if any are scheduled): none
6. Guest presentations or reports (listed below, if any are scheduled):
 - a. Robert Peccia and Associates: proposal for Lakeside paths/trails study paid for by Safe Routes to Schools. Johanna Bangeman has secured a grant from Safe Routes to Schools to have a survey and plan for paths/trails in Lakeside and put out an RFP, to which Peccia was the sole respondent and will proceed with the study. Reference their response, sent to you in PDF format with January Meeting Agenda. Johanna traveling on this date and unable to attend this meeting, but a representative from Peccia, Ryan Mitchell, will attend to summarize their proposal and answer any questions the Council members may have. Johanna is requesting that one or more members of the Council participate in general meetings seeking input from the community and provide input to Peccia & Associates.
7. Sub-committee reports from any LCC authorized subcommittees (listed below, if any are scheduled):
No sub-committees currently active.
8. Procedural discussions or items (listed below, if any are scheduled)
 - a. Resignation letter from Craig Koontz & recommendations for his replacement
 - b. Moving the meeting location to the QRU
 - c. 2013 elections
 - d. Johanna Bangeman also requested, regarding the existing dangers to travelers (including school children), on Adams Street, that the Council draft a letter to the Commissioners supporting the County's taking over maintenance of that road for safety reasons. She is requesting presentation of this letter in person to the Commissioners along with as many citizens/residents who are willing to attend the Commissioners meeting.
9. Begin selection and prioritization of Lakeside Plan Implementation Strategies (Workshop discussion)
10. Meeting adjourned

NOTE: Public comment will be accepted on any agenda item when that item is being discussed.

MEETING MINUTES:

Council Members attending: Barb Miller, David Fetveit, Meredith Coopman, Mike Wilson, Gene Shellerud

Council Members not attending: Janet Conroy

Persons with a disability may request a reasonable accommodation by contacting Elaine Nelson at the Flathead County Commissioner's Office at 758-5501 or TTY (800) 335-7592, or call Montana Relay at 711. Requests should be made as early as possible to allow time to arrange the accommodation.

P&Z attendees: BJ Grieve, Tara Fugina

Public: Marti Seminoff, Susan Repa, Ed Repa, David Altic, Marty Wardelle, Jeremy Newell, Johanna Bangeman, Sam Bagley

MINUTES: (note: meeting was video recorded. Copies of the the DVD may be obtained from Flathead County Planning & Zoining)

1. Call to order and Sign-in sheet passed 7:03pm.
2. Public Comment for items not on the agenda: none
3. Approve agenda for 01/29. Barb moved to move item 8d earlier in agenda – to 6.b – which was requested by Johanna Bangeman. Gene seconded passed unanimously and minutes approved as amended.
4. Approve meeting minutes from 12/18/2012 (no meeting in January 2013): Gene motioned, Barb seconded and passes unanimously to approve 12/18/2012 meeting minutes.
5. Review/recommendations on any County applications in the Lakeside planning area (if any are scheduled): none. BJ noted at this point that the Council By-Laws indicated recommendations could be made to the Planning Board and Board of Adjustment – Specifically, page 2, Article IV, but a general review of the By-Laws should also be done. Suggested verbiage: “...matters that come before the Planning Office, filling vacant seats, and specific issues within the community that require County involvement...”. This item to be added to the March meeting agenda.
6. Guest presentations or reports (listed below, if any are scheduled):
 - a. Robert Peccia and Associates: Ryan Mitchell gave a summary of the work they will do to produce a paths plan for Lakeside within a two mile radius of the elementary school. The resulting product will be a plan document only and it is the community’s responsibility to implement the plan with community involvement, grants or other means. Barb agreed to put an announcement in the Lakeside Somers Voice to inform the community and encourage their involvement.
 - b. Johanna Bangema’s request that council support the county taking responsibility for road maintenance on Adams Street due to the existing dangers to travelers (including school children): After much discussion of the issues on Adams Street (see attached docs). Barb moved, Gene seconded and passed unanimously for Gene to draft a letter from Council to Dept. of Roads/Bridges and to the Commissioners. Letter to be reviewed and approved by Council and signed by David at March meeting 3/26.
7. Sub-committee reports from any LCC authorized subcommittees (listed below, if any are scheduled): No sub-committees currently active.
8. Procedural discussions or items (listed below, if any are scheduled)
 - a. Resignation letter from Craig Koontz & recommendations for his replacement. No one has volunteered. Barb will put something in the Voice again. Council members and community members need to search for volunteers.
 - b. Moving the meeting location to the QRU: Gene indicated that not all ADA requirements are met yet. Council agreed to table this matter until the QRU is ready.

- c. 2013 elections: David Fetveit and Gene Shellerud filed for candidacy for the two elected seats opening in May. Only two seats were available and two candidates filed, so there will be no election ballot for these seats in the May election.
9. Begin selection and prioritization of Lakeside Plan Implementation Strategies (Workshop discussion): Barb noted that the two most supported recommendations were to start work on the revised Neighborhood Plan soon and to reactivate the Town Center Development Plan project. She also suggested that:
- a. The Town Center Plan should be a grass-roots community effort of interested individual and business community members.
 - b. The plan revision should be a sub-committee of the Council – meaning, by extension of County to Council to sub-committee, the effort would be subject to all state and county processes & procedures for public participation and information. Barb motioned, Mike seconded and passed unanimously to defer final decision on these items and discussion of any other plan implementation strategies to the next meeting. BJ noted that there was to be a joint meeting with the Planning Board on March 13 and that Council needs to make a request for P&Z to assist with the Plan revision.
10. Barb motioned; Mike seconded and meeting was adjourned.

The following was submitted by community members in the meeting or just after the meeting.

----- Forwarded message -----

From: **Susan Repa** <susanrepa@gmail.com>
Date: Tue, Feb 26, 2013 at 1:45 PM
Subject: Lakeside Community Council Meeting
To: David Fetveit <david@twre.com>

David,

May I have time to speak on the Flathead County Road Maintenance Issue? I am attaching both a comment sheet I would like to read, and a listing of all Flathead County Boards and Members.

Susan Repa

[406-844-6044](tel:406-844-6044)

Flathead County Planning and Zoning

Lakeside Community Council

February 26, 2013

My name is Susan Repa. I live in Spurwing Estates Sub-Division, developed by Charles Lapp, financed by Mountain West Bank and approved by Flathead County.

I would like to add comments concerning Flathead County's position on not maintaining any roads after its 1983, thirty year policy.

- It appears that most everyone is concentrating on the safety issue argument for the County to maintain Adams Street. Please be aware that the County needs also to address the portion of Grayling Road that connects the already maintained portion of Grayling Road to Adams Street. **But I argue, the County should maintain the entirety of Grayling Road to Bower Road. The entire Grayling Road is a path taken by Lakeside pedestrians as well as vehicular traffic.**
- The County's sole argument that they cannot, will not, address any new roads to maintain is, in my opinion, ludicrous:

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- I have heard, not confirmed, that the County's Road Department does snow plow some roads that are not listed on the County's Official Road Maintenance maps.
- Why would a government not, minimally, do a study in the past thirty years to address the correlation of new roads built during subdivision development and tax revenue brought in by these new developments?
 - Charles Lapp not only paid (well over a hundred thousand dollars) to improve both Adams Street and Grayling Road (partial), he maintained these roads while he was the Declarant of Spurwing Estates Sub-Division.
 - How many other subdivisions have been developed in which the County benefits from new construction, yet does not return any benefits?
 - Interestingly, homeowners in subdivisions like Troutbeck Rise, pay the same County taxes as Spurwing Estates homeowners. The County maintains Troutbeck's internal subdivision roads because it was developed before the thirty year policy was enacted. Troutbeck Rise homeowners can deduct their County taxes (which include County Road Maintenance) for tax purposes. Spurwing Estates Homeowners must pay the same County taxes as Troutbeck Rise, yet Spurwing Roads are not maintained by the County. We must pay Road Maintenance Fees through our Home Owners Association. (which, by the way, are not tax deductible.)
 - It appears to me that the County is more than willing to approve new subdivisions to increase their tax base, but unwilling to give any County benefits (road maintenance, ...) to these new County taxpayers.
- I ask, why do the County Commissioners allow a hired employee (Mr David Prunty), whom has a vested interest in supporting the thirty year policy, to advise them on such matters?
 - Has anyone given thought to do a study on what other Counties/Cities/States have done in the past thirty years for Road Maintenance Policies?
 - Have the County Commissioners thought to do a "County" study as to
 - how many sub-divisions have been created in the past thirty years?
 - How much new revenue have these new subdivisions brought into the County?
 - Which new roads created by these new subdivisions benefit the County versus the subdivision?
- I argue that Adams Street/Grayling Road is a tiny fraction of roads that should be addressed by Flathead County. I wonder if you, Lakeside Community Council, can request Flathead County to send a questionnaire to all it's 17 Planning Boards, 115 members, for their input:
 - How many new Subdivisions have been created in each area?
 - How many roads benefit the Community, versus the Subdivision?
 - How many of the new (newer than thirty years) subdivisions would prefer the County to maintain their roads versus their homeowners association?
 - Referring to the bullet above (*Has anyone given thought to do a study on what other Counties/Cities/States have done in the past thirty years for Road Maintenance Policies?*)

I would like to make a comment on the **Adams/Grayling Road issue**, I find it insulting when I am approached with the idea that “we” should attempt to find locals who could help pay for County Road Maintenance. PRIVATE LANDOWNERS SHOULD NEVER HAVE TO PAY OUT OF POCKET TO MAINTAIN PUBLIC ROADS. Maintenance of Public Roads should be a function of Government and paid for using County Funds. The thirty year Road Maintenance Policy now in existence represents an inequitable use of Taxpayers Funds.

Thank you,

Susan Repa

DRAFT

----- Forwarded message -----

From: **Susan Repa** <susanrepa@gmail.com>

Date: Thu, Feb 28, 2013 at 1:07 PM

Subject: Lakeside Community Council Issues

To: David Fetveit <david@twre.com>

Cc: bgrieve@flathead.mt.gov

David,

I am writing to you, the President of the Lakeside Community Council. Thank you for allowing me to speak at the February 26, 2013 meeting. I regret I became emotional, and apologize to all.

Am I correct in thinking that my last e-mail message to you will be included in the minutes? If not, I ask that you include the previous and this message into the next Council meeting.

I fear that so much time was spent on the safety issue of Adams Street, that the bigger picture I attempted to address was lost:

- Flathead County needs to address their thirty year Road Maintenance Policy.
- All Community Council Boards should have the opportunity to give their input as to County Road Maintenance.

In that end, I would like to formally request Lakeside Community Council to:

- Request that the Flathead County Commissioners send a survey to all the Community Council Boards asking if they think the current thirty year Policy of NOT adding any roads to be maintained is fair and equitable.
 - The survey should/could ask the Boards which roads in their area should be included/excluded in the County Maintenance Policy.

I repeat, the County Commissioners are doing taxpayers a disservice by not seeking outside guidance concerning County Road Maintenance. They should NOT rely solely on a county employee (David Prunty) who has a vested interest to keep the "status quo."

I would also like to make the following corrections/comments:

- I appreciate Gene Shelrude's frankness on how Spurwing Estates Developer, Charles Lapp was forced to build the extension to Adams Street. Charles Lapp built the road according to Flathead County's specifications. (see attached pdf "troutbeck 2005.10.06")
- I appreciate Mike Wilson's frankness on why the Fire Department refused to send a letter to Flathead County supporting the maintenance of Adams Street by said County. They were under the impression

that Adams Street was extended for the sole benefit of Spurwing Estates, their position was that the Spurwing HOA should maintain. I can only hope that after the meeting, Mike will notify the Fire Department of the correct facts. Perhaps they will change their minds and send a letter to the County Commissioners in support of maintaining Adams Street for safety purposes.

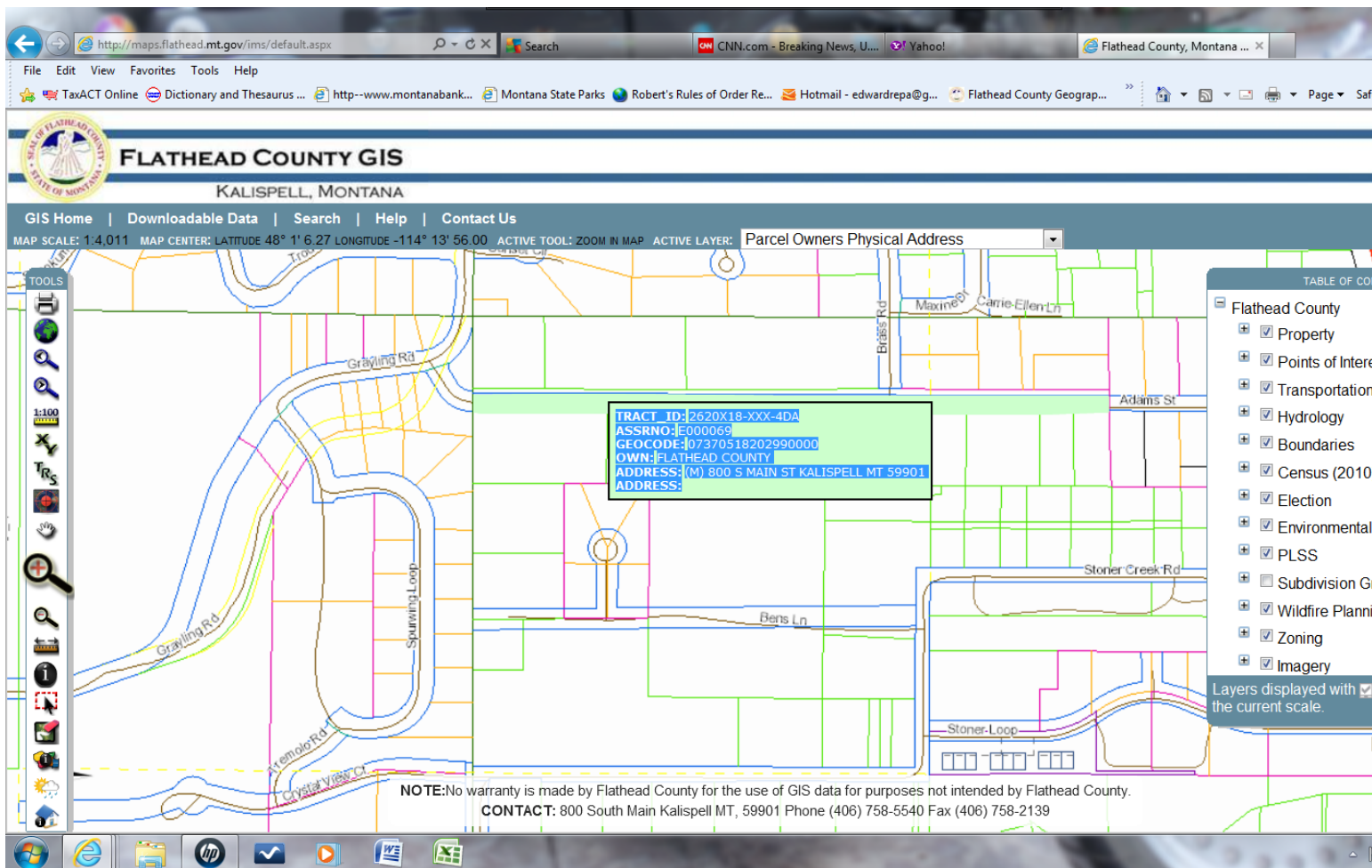
- In support of the facts, I am attaching documents:
 - Word Document which includes Flathead County GIS mapping of Adams St and Grayling Road.
 - A pdf document sent by BJ Grieve which shows the current maintained Flathead County Roads.
 - A pdf document copied from Flathead County's Preliminary Plat file from Troutbeck Rise' then President Marc Liechti, confirming Gene Shelrude's assertion that Charles' was required to improve and extend said roads. Please note Marc's letter states these improvements "should provide better access options for our development as a whole."
- Johanna Bangeman stated incorrectly that Charles Lapp was foreclosed upon and left Spurwing Estates without an HOA. Charles did sign over all unsold properties to Mountain West Bank. Charles turned over the HOA to the lot owners in March 2012. The HOA is active. However, whether or not Spurwing has an active HOA, it is under no obligation to maintain any County Roads built by Charles. (I often wonder if Charles would not have spent his hundreds of thousands of dollars to build roads (and utilities) to help with the area connectivity, would he still be solvent? Perhaps Charles would have had adequate funds to properly address water capacity issues with Lakeside County Water and Sewer District?)
- It was mentioned that Spurwing Estates closed off their "private" Spurwing Loop Road. It was implied that Spurwing was required two methods of egress and since Spurwing Loop was closed off, Adams Street would be the second method (the first being Grayling). Please note, Spurwing was advised by BJ Grieve that the Subdivision had every right to close a "private" road. This was confirmed by Spurwing's attorney.
 - Currently, Spurwing Estates Subdivision has four dwellings, only two are occupied. There is no logical reason to keep a road open when no access is required by Spurwing HOA Members.

I appreciate a response from the Lakeside Community Council after the next meeting.

Thank You,

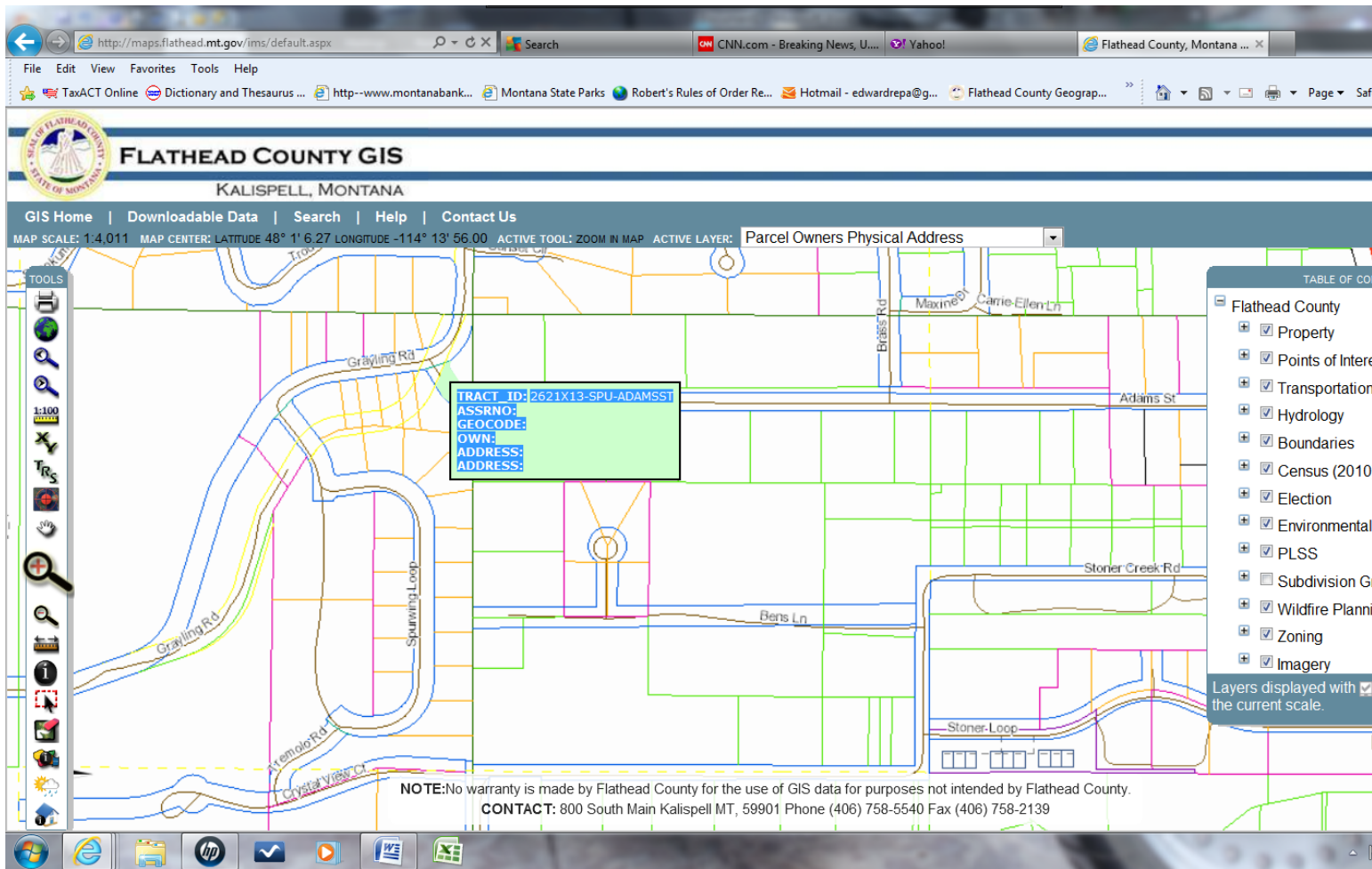
Susan Repa

copying BJ Grieve so he can confirm/correct the above



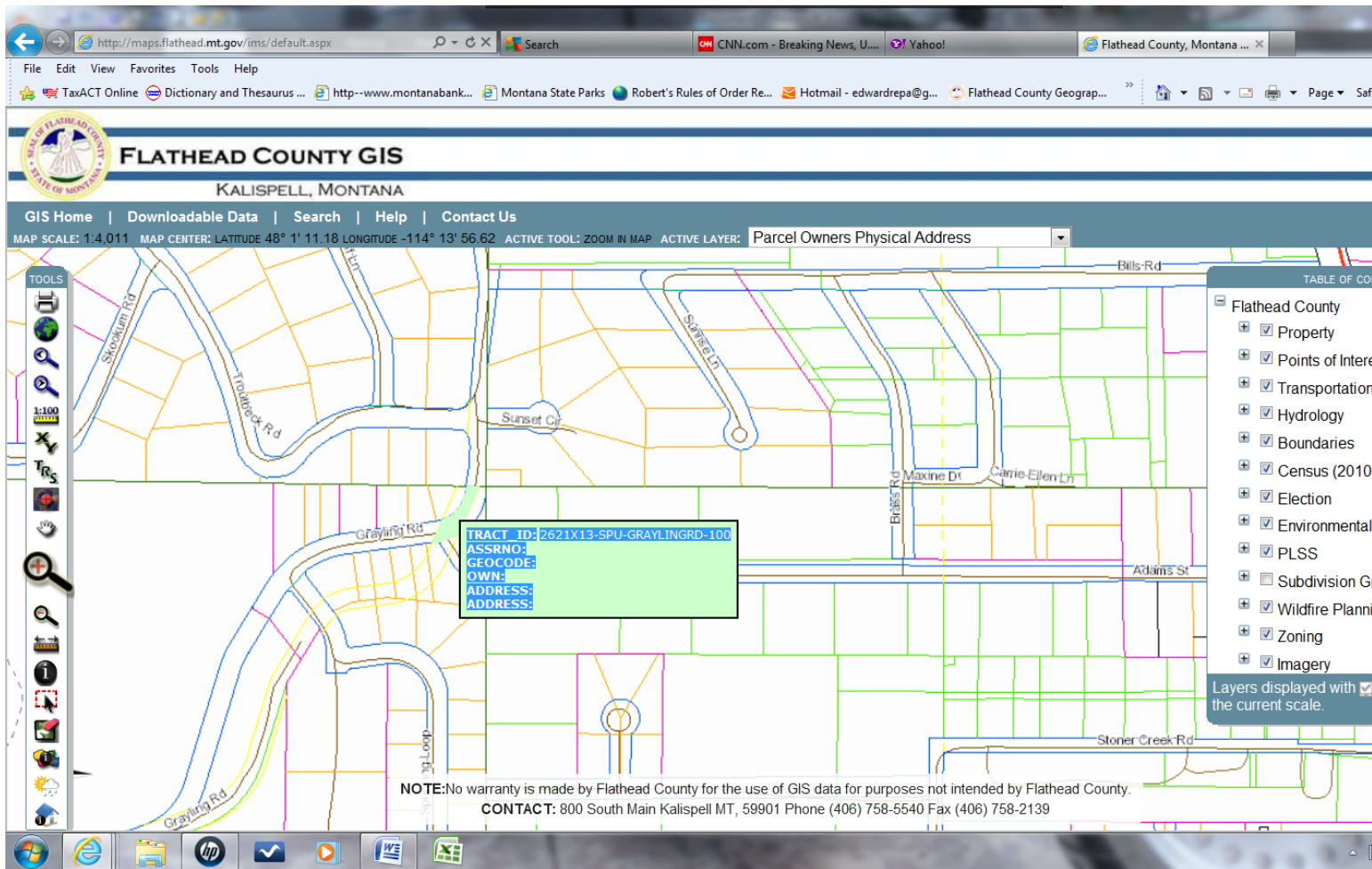
Please note that according to the Flathead County GIS, Adams Street from Hwy 93 to the edge of the Spurwing Estates Subdivision is “owned” by Flathead County.

Spurwing Estates is under no obligation to maintain according to Flathead County’s BJ Grieve.



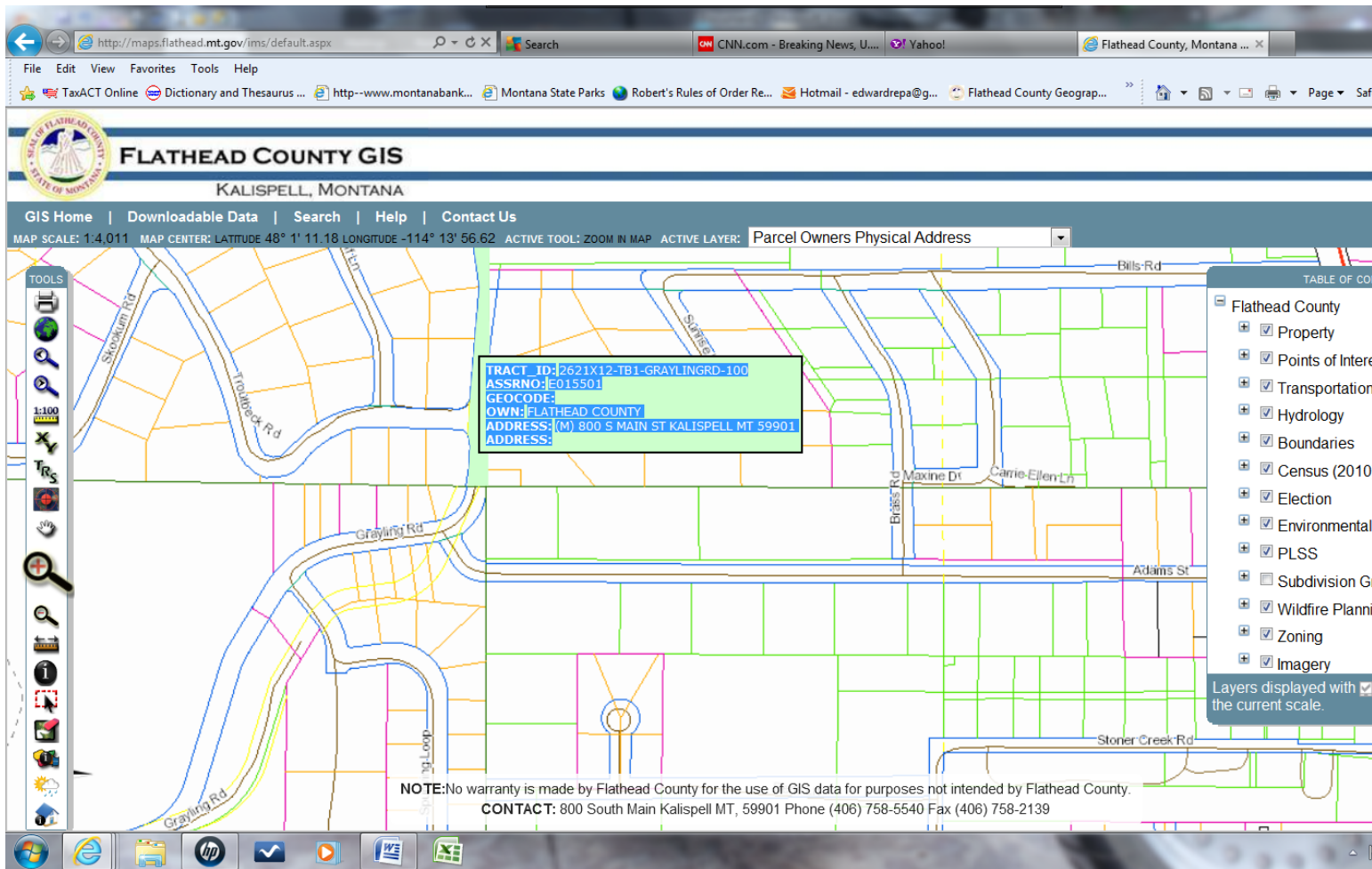
Adams Street from the edge of Flathead County's boundary is part of Spurring Estates Common area.

Spurring Estates is under no obligation to maintain according to Flathead County's BJ Grieve.



Grayling Road from Adams Street to the edge of Troutbeck Rise Subdivision is part of Spurwing Estates Subdivision.

Spurwing Estates is under no obligation to maintain according to Flathead County's BJ Grieve.



Grayling Road from Bierney Creek to the edge of Troutbeck Rise Subdivision is “owned” by Flathead County.

Flathead County should be maintaining Grayling Road “up to” the edge of Spurwing Subdivision. (They have NOT been plowing.)

From: [Susan Repa](#)
Date: 3/13/2013 2:39:53 PM
To: [Barb and Doug Miller](#)
Subject: Fwd: Lakeside Community Council Issues

Barb,
Following is the message, with attachments, I sent to David after the Council meeting.
su

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